

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

3 RAYMOND P. BIELATA,
Plaintiff

CIVIL ACTION NO. 05-183 ERIE

6 CRIME VICTIM CENTER OF
7 ERIE COUNTY, INC. and
SUSANNE POROWSKI,
7 Defendants

Defendants

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SETTLEMENT

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Proceedings held before the HONORABLE

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SEAN J. McLAUGHLIN, U.S. District Judge

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in Judge's Chambers, U.S. Courthouse, Erie.

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Pennsylvania, on Thursday, June 1, 2006

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18 APPEARANCES:

19 JEFFREY J. COLE, Esquire, appearing on behalf of
the Plaintiff.

20 LISA SMITH PRESTA, Esquire, appearing on behalf
of the Defendants.

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1 P R O C E E D I N G S

2 (Whereupon, the on the record proceedings began at
1:26 p.m., on Thursday, June 1, 2006, in Judge's Chambers.)

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4 THE COURT: The parties have advised me that they
have reached a settlement in this case, conditioned only upon
formal approval by the Board of the defendant. And it's my
5 understanding that the Board is going to be convened for the
purpose of acting on this settlement in the immediate future.

6 My understanding is that in return for the payment
of \$55,000, the plaintiff agrees to release and forever
7 discharge the defendant from all claims arising out of this
particular action. Is that acceptable to you, Mr. Bielata?

8 MR. BIELATA: Yes, your Honor.

THE COURT: Is that your understanding as well?

9 MR. COLE: Yes, it is, your Honor.

10 THE COURT: On behalf of the defendant, you're
willing to pay the sum of \$55,000, is that right?

11 MS. PRESTA: We are, your Honor, with the inclusion
of the confidentiality agreement that I discussed with Mr.
Cole.

12 MR. COLE: And the standard confidentiality
agreement is that you cannot disclose, well, the fact the
13 settlement may come up in conversation with his associates,
what happened to the litigation you were involved in? He can

14 say it was resolved to the satisfaction of the parties?

MS. PRESTA: Yes.

15 MR. COLE: He cannot disclose the amount of the
settlement except to financial and tax advisors and, of course,
16 your legal advisor, if you have issues about that, you can talk
to me about it. But others you cannot; is that acceptable to
17 you?

MR. BIELATA: That is acceptable to me.

18 THE COURT: All right, the only other thing I would
say is since the settlement here involves a public entity, if
19 you will, that what you agree to among yourselves, you can
agree among yourselves in terms of confidentiality, but this
20 record, as far as I'm concerned is a public record, as far as
the terms and conditions of the settlement. If anyone, other
21 than Mr. Bielata, be it an individual from the press or anybody
else that would want to see or look at it, they'd have a
22 perfect right to do so.

MS. PRESTA: Just so, your Honor, that's not in any
23 way connected to either Mr. Bielata or Mr. Cole.

MR. COLE: We wouldn't comment in the news media,
24 other than to say, if we were asked, I doubt we would be, the
matter has been resolved to the satisfaction of the parties.

25 THE COURT: What I'm going to do is just in

1 anticipation of what has been represented to me to be Board
approval, I'm going to administratively close out my case. In
2 the most unlikely event that something were going to happen
there such that it wasn't approved, I'd simply reopen the
3 action and away we go. But I certainly don't anticipate that
happening. As far as I'm concerned, the case is resolved.

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(Whereupon, at 1:30 p.m., the Settlement proceedings
5 were concluded.)

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10 I, Ronald J. Bench, certify that the foregoing is a
11 correct transcript from the record of proceedings in the
12 above-entitled matter.

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15 Ronald J. Bench

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